

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NOEL QUINTANA a/k/a CHRISTOPHER
SANDLE,

Plaintiff,

v.

CITY OF PHILADELPHIA, *et al.*,

Defendants.

CIVIL ACTION
No. 17-0996

ORDER

AND NOW, this 30th day of July, 2018, after consideration of Defendants' Motions to Dismiss, (ECF Nos. 38 & 42), Plaintiff's Responses, (ECF Nos. 48 & 49), and Nordo's Reply (ECF No. 50), it is hereby **ORDERED** that the Motions are **GRANTED in part and DENIED in part**.

1. Count I for malicious prosecution under § 1983 is **DISMISSED** against the City of Philadelphia, the Philadelphia Police Department, Richard Ross, Jeffrey Schmidt, Sean Matrascecz, John Cole, Timothy Miller, Samuel Hudson, Thomas Matinka, and the Philadelphia District Attorney's Office;
2. Count II for conspiracy is **DISMISSED** against all defendants;
3. Count III under *Monell* is **DISMISSED** against all defendants;
4. Count VI for malicious prosecution under state law is **DISMISSED** against the City of Philadelphia, the Philadelphia Police Department, Richard Ross, Jeffrey Schmidt, Sean Matrascecz, John Cole, Timothy Miller, Samuel Hudson, Thomas Matinka, and the Philadelphia District Attorney's Office; and,

5. Count VII for negligent and intentional infliction of emotional distress is
DISMISSED against all defendants.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.